

11, 21-22 and 24-27 above, and further in view of
U.S. Patent No. 5,603,467 (Perini); and

- (3) Claim 28 under 35 U.S.C. §103(a) over Isakson as applied to claims 3, 6-8, 11, 21-22 and 24-27 above, and further in view of U.S. Patent No. 4,422,588 (Nowisch).

Each of the above rejections are first presented in the outstanding office action. The only pending independent claims, claims 3 and 21, are only rejected under 35 U.S.C. §103 over Isakson.

With regard to the rejections of independent claims 3 and 21 under 35 U.S.C. §103(a), the Examiner asserts that Isakson discloses two different embodiments, i.e., a first embodiment (Figs. 13-15) including a glue applicator with a mechanical member 48A for applying glue on the web; and a second embodiment (Figs. 2-5) including a "rotating severing element 16", and therefore it would have been obvious to (1) combine the severing means and the glue application means in the same embodiment; and (2) to design the severing means and the glue applicator means as a single integral member.

Applicants respectfully submit that the combination and modification made by the Examiner is not

6539/USSN 10/535,424
Group Art Unit 3654

obvious and does not provide the claimed rewinding machine and method of producing logs of wound material. There is no useful suggestion or hint in Isakson which would have pointed towards the claimed combination based on the teachings in Isakson.

Independent claim 3 specifically claims in a rewinding machine a severing element cooperating with a first winding element to sever a web material, a first glue dispenser including a mechanical member that touches the web material to apply glue to that portion of the web material in proximity to a severing line to glue the free end of the log, and that the mechanical member of the first glue dispenser is integral with the severing element or is part of the severing element.

Claim 21, the only other independent claim, claims a method including severing of a web material by a mechanical member when the web material is between the mechanical member and a first winding element, and applying glue to the web material by the mechanical member when the web material is present between the mechanical member and the winding member.

The claimed arrangement and action of claims 3 and 21, respectively, is not obtained when the teachings of Isakson are considered as a whole.

Applicants submit that in the embodiment of Figs. 13-15 of Isakson, the glue applicator 48A must be arranged on the side of the web opposite the roller 12. This is because it would not be possible or sound to apply glue on the surface of the web which is in contact with the roller 12. Glue must be applied on the surface of the web which will contact the core 20. Conversely, the member which the Examiner indicates as being a severing means, namely member 16 in Figs. 2-5, is not a severing means, but rather is a radially movable transfer member (see column 2, lines 7-10). In particular (see column 2, lines 40-45), member 16 "urges web 32 into contact with rotating empty core 20". This means that the member 16 is not a severing member.

Further, member 16 cannot be arranged on the same side as the glue applicator 48 in the apparatus as described in Isakson. This is due to the simple reason that the two members, glue applicator 48 on one side and transfer member 16 on the other side, must act on opposite faces of the web in order for each to serve its intended function. The glue must be applied on the surface of the web which will contact

a core. The transfer member 16 must act on the opposite surface, i.e., on that surface of the web which does not contact the core (and therefore which does not receive the glue).

Accordingly, a combination of the two embodiments disclosed in Isakson as suggested by the Examiner would not be obvious and would not result in the applicants' claimed machine and method since applicants' claimed severing member and mechanical member of the glue applicator are integral with one another. Claim 3 specifically claims that the mechanical member is integral with the severing element. Claim 21 specifically claims that severing is done by a mechanical member and that glue is applied to the web material by the mechanical member. Accordingly, the severing member and the mechanical member of applicants' invention as claimed concern a common side of the web material, which is contrary to the teachings of Isakson. The structure of Isakson requires that the two members, i.e., glue applicator and the severing member, be arranged on opposite sides of the web advancing path in order for each to serve its intended function.

Accordingly, applicants respectfully submit that Isakson does not render independent claims 3 and 21, and

6539/USSN 10/535,424
Group Art Unit 3654

thus also the claims dependent thereon, obvious within the meaning of 35 U.S.C. §103. The two secondary references of Perini and Nowisch are only applied in combination with Isakson against dependent claims and, thus, are relied on solely for the additional limitations of the dependent claims. In view of the lack of teaching in Isakson to achieve applicants' claimed combination, applicants respectfully request withdrawal of the §103 rejections.

Applicants submit that the claims are in condition for allowance. Reconsideration and allowance of the application is respectfully urged.

Respectfully submitted,

MAURO GELLI ET AL

By Mary Breiner
Mary J. Breiner, Attorney
Registration No. 33,161
BREINER & BREINER, L.L.C.
P.O. Box 320160
Alexandria, Virginia 22320-0160

Telephone: (703) 684-6885